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### THE SPEECH

OF

# WILLIAM B. PRESTON.

(OF MONTGOMERY,)

IN THE

## HOUSE OF DELEGATES OF VIRGINIA,

ON THE

### POLICY OF THE STATE

IN RELATION TO

# HER COLORED POPULATION:

DELIVERED JANUARY 16, 1832.

RICHMOND:

Mar Enerth, Esz.

It is due to Mr. PRESTON, to state that his speech on the Abolition of Slavery, has been published in its present form, from the Richmond Enquirer, by gentlemen favorable to the views which he has advocated—not by himself.

## HOUSE OF DELEGATES OF VIRGINIA.

### WEDNESDAY, JANUARY 11, 1832.

Mr. Goode of Mecklenburg, role to move the following resolution.

Resolved, That the select committee raised on the subject of live, free negroes, and the melancholy occurrences growing out of the tragical mass acre in Southampton, be discharged from the consideration of all petitions, memorials and resolution, which have for their object, the manumission of persons held in servitude under the existing laws of this commonwealth, and that it is not expedient to legislate on the subject.

Mu. Randourn moved the following substitute, to be in crted after the word "Southamp-

ton:"

-- "be instructed to inquire into the expediency of submitting to the vote of the qualified voters in the several towns, cities, boroughs, and counties of this commonwealth, the propriety of providing by law, that the children of all female slaves, who may be born in this state, on or after the 4th day of July, 1840, shall become the property of the commonwealth, the males at the age of twenty-one years, and females at the age of eighteen, if detained by their owners within the limits of Virginia, until they shall respectively arrive at the ages aforesaid, to be hired out until the nett sum arising therefrom, shall be sufficient to defray the expense of their removal, beyond the limits of the United State, and that said committee have leave to report by bill or otherwise."

#### MONDAY, JANUARY 16, 1832.

Mr. Brodnax, from the committee on the colored population, presented the following re-

The select committee, to whom was referred certain memorials, praying the passage of some law providing for the gradual abolition of slavery in the commonwealth, have, according to order, had the same under consideration, and have come to the following resolution

Resolved as the opinion of this committee, That it is inexpedient for the present legislature to make any legislative enactment for the abolition of slavery.

Mr. Preston moved that the resolution reported from the committee, be amended, by striking out the word "inexpedient," and inserting the word "expedient."

#### Mr. PRESTON rose and said:

Mr. Speaker,—The closing remarks of the gentleman from Albemarle, has called to mind the manner in which one of the greatest parliamentary debaters of the age commenced his most distinguished efforts. If I dare follow his example in this particular, I would ask that the question be now reported by the chair, that we might make some small calculation of our "departure." [Here the Speaker re-

ported the resolution.

Mr. Speaker, I am admonished by very many considerations, that on this occasion I ought not to obtrude myself upon this house, or join in the discussion of this momentous and all-absorbing question. I am admonished in the first place, by a deep and thorough conviction of my own inability to add any new light, or to throw any new matter into that extensive field of debate, over which this discussion has travelled. I am farther admonished, by my age and inexperience, that this is a matter demanding the most profound experience, and the greatest caution and delicacy; and that therefore I have neither of those requisites necessary for its decision. I am still further admonished, by the lateness of the hour, and the great lassitude and fatigue which every individual of this house must feel at this time. But, Mr. Speaker, in disobedience to all these considerations, I feel that, as the individual on whose motion the proposition which is now before you was submitted. I would not be in the discharge of that duty which I owe to myself, to this house, and to those whom it is my honor to represent on this floor, were I not to submit to them the views and opinions

which have impelled me to action on this occasion.

It has been said by the gentleman from Brunswick, that the fact that the Virginia legislature were now gravely discussing the question of an abolition of slavery, with open doors, and to a crowded gallery, was one of the most remarkable events in the records of her history. That in the better days of the republic, this question could not, and would not be tolerated; that a solemn silence would have pervaded this hall; that our doors would have been closed, and the voice of every man suppressed, in a debate so startling in its results and so unusual in its character, in this hall. Sir, I admit, with the gentleman from Brunswick, the result is most astonishing and miraculous. I admit, that for near 200 years, the thoughts, words and actions of Virginians have been suppressed, and that a solemn silence has closed the mouth and stifled all investigation on this subject. But, sir, I will not concur in the opinion, that those were the better days of the republic. But, thank God, Mr. Speaker, the spell is broken, and the scales have fallen from our eyes. These open doors, that attentive audience, prove to me that I am at liberty to speak any and every opinion, which I entertain on this subject. This question of slavery, Mr. Speaker, is one which seems in all countries and ages in which it has ever been tolerated, either directly or indirectly, to have called to its aid a mystic kind of right, and a superstitious sort of veneration, that has deterred even the most intrepid mind from the investigation into the rights, and an exposure of the wrongs on which it has been sustained. • Even in England, where it has been said that the moment a slave touches the English soil he is "redeemed and regenerated;" even there, Mr. Speaker, within the last half century, in the great commercial town of Liverpool, public opinion had driven from the stage George Coleman's beautiful play of Inkle and Yarico; not that the land was not a free. one, or that the laws forbid its rehearsal, but because, in that port, and by that people, the slave trade was carried on, and their interests had controlled every avenue through which that interest was to be affected, their enormities brought to view. I esteem, the exhibition now before our eyes, and the aspect which this hall at this moment presents, as the grandest revolution of the age, a great moral revolution, in which our minds and opinions have triumphed over error and interest, and left our judgment free to decide, and our tongues free to speak the principles of justice, and the voice of humanity. Sir, that freedom which we all feel-and, I thank the country for that opinion by which I am permitted thus to speak, in that frankness, which I hope is a part of my nature—I will not withhold on this occasion, any opinion which I entertain, or principles by which I am governed. I know full well, that many of the opinions which I entertain and intend to announce, are new, and startling to the ears of many gentlemen. They are, however, my deliberate opinions. They are opinions which I conceive to be founded in truth and in justice, and lead to results imperatively demanded by the public exigency. We have been told, sir, by many gentlemen in the course

of this discussion, that it was a subject in which the west were not interested. That we ought to surrender this whole question into the hands of our eastern brethren. Nay, sir, that we had by the declaration of one of our western representatives, already declared that it was a matter in which we did not intend to concern ourselves. Mr. Speaker, it was not necessary that we should be reminded on this floor of the fact, that we were not and ought not to be heard on this question. The most casual observer of passing events had long since been convinced that the west, if possible, should not be heard. In the organization of the select committee, raised on this subject, we clearly foresaw that we were not considered as being parties to this transaction, and that our course was one of perfect submission to the voice and will of those who claimed to be more deeply interested, than they asserted we were. But, with all due deference to those opinions and indications, we claim to be heard. We will be heard. A voice has already been heard from the west—a voice which I shall never forget while memory holds her seat: the voice of the gentleman from Berkeley. Nor, Mr. Speaker, do we come unbidden into the discussion: the gentleman from Hanover has called on us for aid. He invites all portions of this commonwealth to join in this sacred cause, to relieve them from the impending danger. In the language of his venerable ancestor, he might have said, deliver us from that danger which, while we hold the delusive phantom of hope to our bosoms, permits our enemies to bind us hand and foot.

We believe that as members of this legislature; as the representatives of Virginia; of the whole commonwealth at large, we ought to be heard. As the representatives of the western portion of the state, we think that there are reasons and causes operating upon us, which give us a most vital and absorbing interest in this question. It has been said, and repeatedly said, during this discussion, that the west was producing the excitement which is here showing itself; that this is a sectional question; that it is a struggle between the east and the west, for party purposes. Let us examine this matter. What, sir, has been the history of this discussion? When the petitions from various counties of this commonwealth were presented, a motion for their reference, was opposed by the gentleman from Mecklenburg, (Mr. Goode,) on the ground that the object which they had in view, was one which it was improper to legislate on; that its reference was calculated to alarm and disturb the public mind, when no earthly good could result from such a course: that the very reference of the matter to a committee, endangered the tranquillity and safety of eastern Virginia. On that occasion, sir, all that the west said or did was, that as the question was one of the greatest delicacy, they were disposed to give the east a carte blanche on the subject. But, sir, on that occasion the gentleman who is at the head of that committeethe gentleman from Dinwiddie, (Gen. Broadnax,) assured this house, that in the section of the state he represented, "the sense of security was gone, and that the interest of the state emphatically demanded that something should be done:" that some effort should, and ought to be made, to quiet the alarms, and remove the evil from amongst the people: other eastern gentlemen maintained the same opinion, and

sustained the same course. The result was, sir, as you will remember, that but twenty-seven gentlemen voted against the reference of the petitions. The west has done nothing to produce this result, and can do nothing of herself; but assuredly she will be permitted to decide this question in accordance with her interest and principles; a question made by eastern gentlemen; a danger felt by eastern gentlemen; and a relief asked for by eastern gentlemen.

Mr. Speaker, two questions present themselves at the threshold, and upon their decision depends the success of any scheme which may be

devised, either now or hereafter.

The first is, whether or not there are any constitutional restrictions or protections thrown around this kind of property; which will preserve it from any system of emancipation, which does not amply remunerate the owner for his property; and, therefore, prevents the legislature

from passing any enactment on this subject.

The second, whether the necessity of the case is sufficiently great and imperative, to demand that resort should be had to the supreme law of necessity; and if, on investigation, the first question shall be found to oppose no barrier, and the second to demand a decisive action, I myself will not hesitate in the course which my duty prescribes to me.

The gentlemen on the other side, all admit that slavery cannot be justified on principle. They say that no man will defend the principle of slavery. But what do they mean, when they say that the constitutions, both state and federal, protect them in their right to this property? Neither the state nor federal constitution, sir, protects them in such right to this property as they assume. They have neither of them thrown any such defence around those rights which are claimed here, as gentlemen would fondly imagine. The poetical gentleman from Brunswick, (Mr. Gholson,) whose brilliant imagination and glowing fancy saw wealth and happiness in our worn out fields, whose gullies indicated that the "ploughshare of desolation had passed over them;" who saw in our revolutionary population, who heard in the melancholy winds which sighed through the tops of our old field pine trees, the soil, the wealth, and clear indications of a great and flourishing population, told us that the federal constitution guaranteed the right of property in slaves. He refers us to the fifth article of the amendments of the United States constitution, by which it is provided that "private property shall not be taken for public uses, without just compensation." I admit, Mr. Speaker, that it is true, that private property cannot be taken without adequate compensation, if taken from an individual here for the use of that government. But it is a provision solely applicable to those cases in which the federal government, in the exercise of her powers, and within the sphere of her constitutional rights, is compelled to take the property of the citizens of the states for her uses. It is a rule prescribed to her, by which the states and the people of the states are to be protected against that government-certainly not one by which the rights of property of individuals are guaranteed to them, against the laws or municipal regulations of that particular state of which they may be members. It is a rule of action for that government, not a charter of rights to citizens.

of the states, in the mode, and manuer, and tenure by which they hold their property in the state. The gentleman further supposes, that the admission of representation upon the federal ratio goes to sustain the guarantee of property under that constitution. The precise contrary is the result, to which my mind is led by this fact. It seems to me, Mr. Speaker, so far from recognizing them as property, and guaranteeing the right in them as such, it clearly and conclusively proves that they are recognized as persons—persons entitled to a representation for three-fifths of their numbers. It does not, Mr. Speaker, require that we should recognize them as persons. It only limits the extent to which they will recognize them as persons: beyond which we shall not go, but up to which we are not required to advance. That compact, was not one in which this principle was either directly or indirectly settled and established; it was, in the language of a gentleman once on this floor, nothing more nor less than "well driven bargain,"—a bargain in which we of the south demanded and obtained from our northern friends, a privilege for our slaves, which we in our own representation (until the era of our new constitution,) never had conferred either on them or their ow-It does seem to me, that the aid which the gentleman from Brunswick invokes from the federal constitution to sustain and protect his right to this species of property, entirely fails him. \_ He must, therefore, look to some other point for that constitutional sanctity which he hopes and believes sustains him in this right of property. The gentleman betakes himself to his state constitution. He asserts, that under its phraseology, which is in the very words of the federal constitution, there is an insurmountable barrier to our objects and designs on this occasion. He says, that under the eleventh clause of the third article of that constitution, the legislature is prohibited from passing "any law whereby private property shall be taken for public uses, without just compensation." I deny, Mr. Speaker, that under this paragraph, slaves are protected as property---they are not made property by this constitution. I admit that they are property, but they are property under the statutes of Virginia. The gentleman from Brunswick, says that the framers of the constitution were slaveholders and slave-owners, and that they considered them property under the constitution, and entitled to its protection: that a different construction proves that they were either knaves or fools. I beg leave to differ with the gentleman, if he should arrive at either of these conclusions. The gentleman from Rockbridge referred this house to that clause in the bill of rights in which it is asserted that "all men, by nature, are equally free and independent." What, Mr. Speaker, is meant by this declaration? Unquestionably, as human beings, they are embraced within the bounds of this broad, extensive, and eternal truth--- one that is laid down as the corner-stone of all free governments. But, says the gentleman, they were slave-holders, and therefore could not have meant to declare them "This was a true declaration of natural right, and not a declaration of the powers of government, or of the social obligations or rights of property." The bill of rights, announced the right,—the statute enforced the necessity under which our forefathers acted.

Sir, Mr. Jefferson, whose hand drew the preamble to our bill of rights, has eloquently remarked that we had invoked for ourselves the benefit of a principle which we denied to others. He saw and felt, that slaves, as men, were embraced within this principle. And as one of the heaviest grievances of which we complained in our separation from Great Britain, in the declaration of independence he declared, that they had violated our rights by "prompting our negroes to rise in arms against us---those very negroes, whom, by an inhuman use of his negative, he has refused us permission to exclude by law." In the original draft of that instrument, in his own hand writing, he alleges that Great Britain had waged a cruel war against human nature itself, violating its most sacred rights of life and liberty, in the persons of a distant people, who never offended him; capturing and carrying them into slavery in another hemisphere; or to incur miserable death in their transportation thither --- this piratical warfare, the opprobrium of infidel powers, is the warfare of the christian king of Great Britain, determined to keep open a market where MEN should be bought and sold." They were then, Mr. Speaker, considered as men under the principle invoked, but they were property under statutes made by ordinary legislatures. "The objects of dominion or property are things as contradistinguished from persons;" and I conceive that that provision in the constitution which guarantees property to the citizen, refers exclusively to this common law definition of property. Sir, there is no statute by which your horse or your ox is declared to be property.— They are so under this definition. They are property per see, and the declaration which guarantees property to the citizen embraces them, as the natural legitimate objects of property.

It was, therefore, that slaves which were not property by the common law, were made so by statutary enactments—a statutary enactment which, by the operation of mere law, has erected, as they suppose, an insurmountable barrier to those natural and unalienable rights, which we cannot divest ourselves of, or of which none others can divest us. The slave has a natural right to regain his liberty—and who has as high a right to reduce them to slavery again? In two of the states of this union, Massachusetts and New Hampshire, the declaration in the bill of rights, has, of itself, abolished slavery. Not that I would abolish it here, under the authority of that declaration. They were made property here by the statute—they are property under the statute, and they must remain property until that statute is repealed: that statute was the result of necessity, imposed upon us by the British throne; but it is such a statute as can be repealed by this assembly. The power which this legislature possessed of declaring what shall be property, also enables it to declare what shall not be property. All that I claim on this question, is, that when the public necessity demanding their emancipation is greater than the public necessity for their retention as slaves, that then it is in the power of this or any subsequent legislature to repeal this statute. My friend from Berkeley (Mr. Faulkner), might have gone farther in the principle which he advanced, than that the post nati were not such a property as the owner of their parents could not be divested of. It seems to me to result from the power inherent in this body, of declaring what should be considered property, and repealing any laws which have heretofore declared what property is. The gentleman from Dinwiddie (Gen. Brodnax), told us, the other day, that it was not the value of the property involved in this question that made him tenacious of itthat it was the principle for which he contended. He adopts the language, "millions for defence, not a cent for tribute." What is the principle for which he contends? Is it the right to this property, which, he says, is higher than all constitutional power, above all law, anterior to all civil society—a right which he derives from God? He told us, in another part of his two hours' speech, that something must be done to relieve us from this greatest of all evils. He admits that the salus populi is the supreme law of all governments—and when we attempt to show that this supreme law demands that something should now be done on this question, he answers us with the declaration, "millions for defence, not a cent for tribute." Sir, I concur with the gentleman in the belief that something should be done. I think, it should be done now. The voice of thunder predicted the other day by the gentleman from Brunswick, has already been heard. We have already heard the sound and seen the lightning. The people demand that something shall be done. Does that gentleman suppose that the time will ever come when a general emancipation will take place within this commonwealth on the plan which he proposes? Does he believe that the efforts of the Colonization Society will be able to consummate this great work? or can it be done by gratuitous contributions? No, sir; all such views are futile. The moment the society has decreased the number to that point, at which safety is felt to the persons and lives of the people, and at which the value of the slave has been increased, by the removal of many,-then the scheme will fall to the ground:-there will then be no more voluntary contributions. But, the idea of the gentleman is, that all are to be restored to their much injured continent. How will be proceed in his enterprise? Will he then resort to law and to this body, for the means of proceeding in the work! No, Mr. Speaker; the constitution is again appealed to for protection, and its protection is ample. I repeat again, that no emancipation can take place either now or at any future time, without an infringement upon the rights of property, if they are such as are assumed on the other side—a right both to those now in existence and to those hereafter to be born, which is superior to all law and above all necessity. I see—(by indications that I cannot be mistaken in,)—that I have uttered a sentiment which gratifies those who are opposed to me. They are ready to accuse me with attacking their constitutional rights. I do attack them openly and boldly; and if they ask me by what right I do so, I answer, by the right which is given me by that great law of necessity-self-preservation; which even by the gentleman from Dinwiddie (Gen. Brodnax), is said to be the supreme law of the land. The gentleman from Mecklenburg (Mr. Goode), shakes his head. I attack his property boldly, openly—let him defend it if he can. My old friend from Halifax (Mr. Bruce), told us that the Virginia slave was

happy and contented—that his situation was preferable to that of the laboring classes in Europe, and that no danger was to be apprehended. Mr. Speaker, this is impossible: happiness, is incompatible with slavery. The love of liberty is the ruling passion of man; it has been implanted in his bosom by the voice of God, and he cannot be happy if deprived of it. That gentleman referred us to Europe, as affording an example of more revolt, disquietude, and danger both to persons and property, than had been experienced or could be apprehended here. The examples are widely different. Their's are revolutions which are brought about by the operation of that liberal principle which is diffusing itself over the whole face of the habitable globe-a revolution in the moral condition of man, which tells them every where that they ought to be free. I rejoice in such revolutions—we all rejoice in them. We hail the knowledge of them with joy, with speeches and songs, and dances, and merry meetings-we all feel that they are revolutions, in which those who have rights have dared to assert them, and those who have committed wrongs, are made to feel them. The peasant of yesterday is the lord of to-day. The lower class of one day is the higher class of the next. Look, sir, to France. Though we may deplore the scenes through which she has passed, are there any here who does not rejoice at her revolution? I rejoiced when her oppressed people tore down every monument of their former kingly greatness. I rejoiced when all of Royal'y that was venerable and ancient was overturned, and prostrated in the dust. I rejoiced when I saw a foreign prince on the throne of the Bourbons. And, if those who are slaves here, were not what they are?—if they were white men, in oppression and bondage, I would rejoice in a revolution here. It is in the line which God and nature has drawn between us in color, that the appalling consequences of such a result, are so deeply to be feared, so solemnly to be deplored, and so decisively to be provided against. Who, Mr. Speaker, can bear the thought of seeing a black speaker occupy that chair in which you are now seated? That result has been predicted in this hall; and the gentleman from Dinwiddie has declared that "unless something was done, either the whites would cut the throats of the blacks, or they would ours." Sir, that will be the result—and, to avert such a catastrophe, what is there that ought not to be done? If we follow the example, (and it is the only one by which we are guided from the lights of history on this subject) of the deluded planters of St. Domingo, we can read a mournful lesson, to the truth of which we cannot be blind. If we shut our eyes against those truths, if we permit our interests to control our judgments, it must be obvious to all, that the day will never come when we will accomplish the work of abolition; while it is equally sure, from their rapidly increasing number, it will come when they are able, from their physical strength, to accomplish our destruction. And where then will you look for your security? Will it be in that love, which the gentleman from Halifax says, the slave bears his master? Trust it not, sir. The day must and will come when the results in this hall will prove the correctness of the forebodings of the gentleman from Campbell, unless something is done.

Gentlemen say, that the country is tranquil; that no danger is apprehended, even in the east; and that the west has felt no alarm on these subjects. I, sir, represent a county which, by the last census contained about 12,000 persons: of that number, there are about 2,000 slaves. We were in safety, amid our mountains, and so secure that but few felt or acknowledged the sensation of fear at that time. But, sir, we tremble for the future. We foresee, that the day will come when we will be beset by those dangers which surround you, and many of our most valuable citizens will flee to lands where they and their posterity will escape the danger forever. What, I ask you, sir, will be the result to western Virginia, when every state which has heretofore afforded this immense drain to your black population, amounting to 85 thousand decennially, shall have closed her market; when every state south of us, shall stand sword in hand to guard their country against the importation of our slaves into their borders? When the great southwestern world refuse to permit the sale of our slaves there? When this whole redundant population shall be thrown back on the eastern portion of our state? I ask you, what will be the fate of the west? Those mountains, amid which our security has been felt, will no longer be secure; our tall forests will fall before the stroke of the eastern slave; our rich soil will be tilled by the hands of slaves; and our free and happy country will become the home of the slave. Our country, though less inviting to slave labor than the country of the Mississippi, is still, when that is forbidden, more alluring than the exhausted soils of the lowlands, and he must and will be introduced amongst us. The gentleman from Brunswick (Mr. Gholson,) after depicting in glowing colors the prosperous character of our country, the beauty of our daughters, the high and manly chivalry of our sons, concludes by telling us that the only wealth of Eastern Virginia was in the increase of their slaves. In the name of God, Mr. Speaker, has it come to this? Does the wealth and the beauty and the chivalry of Virginia derive its support and owe its existence to the increase of our slaves? If it be so, I would gladly relieve them of so heavy a reproach.

[Mr. Gholson rose to explain. He said that the idea was origi-

nal with another, and that he had merely adopted it.]

I took the fact, as announced by the party and not by any indivi-

The gentleman from Campbell (Mr. Rives), said that the non-slave-holders were the most deeply interested in this question—I concur in the opinion—if indeed it be true, as announced by my friend from Halifax, that the evil is incurable—"that no human ingenuity can devise a scheme for their removal"—that therefore they must content themselves and endure the evil. Then, indeed, Mr. Speaker, we are the most deeply interested,——We are at that point at which a remedy can be devised, they are at one at which it is hopeless. We are within the sphere of hope—they are in a situation of despair; and we are the more strongly admonished by this fact, to prevent their introduction amongst us.

The gentleman from Brunswick (Mr. Gholson), said this slave question was not "the bone of contention" between the east and

the west---that it was internal improvements. I have always been a friend to internal improvements---I have always felt that it would bind us together by an indissoluble chain of interest. But, deeply as I feel its importance, and sensible as I am of its advantage, I would not vote for any system of canals or rail roads—which, while it afforded an outlet to our produce, is to be made an inlet for the

Mr. Speaker, I made a motion this morning to change the aspect of this question, not because I feared "to see the rays of truth, playing upon the features of the amendment offered by the gentleman from Albemarle"-not because I looked on that proposition, as the gentleman from Westmoreland (Mr. Newton,) does-not because I feared that "its adoption would overturn the democracy of the country"-not because I feared that the gentleman would write the "name of the mover of that proposition on that wall," for the slow finger of scorn to be pointed at. It was for no such reason. The gentleman need apprehend no such dangers as he suggests from that source. It sprang from the same source from which that gentleman derives his right to be heard in this house as a representative of the people. It. sprang from that source which secured to that gentleman the right to worship the God whom he adores. It was the twin thought of our declaration of independence. The gentleman from Dinwiddie says, that although that scheme originated with Mr. Jefferson, he might not now advocate it, if alive---time might have changed his opinions of its practicability. In 1814, Mr. Jefferson says, that it was a task which he, himself, was deterred from, only by the infirmity of his age,-"that it would have been buckling Hector's armour on the limbs of old Priam." He has bequeathed it as a legacy to the young and patriotic who are to come after him.

One word more, Mr. Speaker. They say the west want works of internal improvement, and that the slave property is alone able to supply the means—they say now that we desire to destroy that very property. The arguments surely destroy each other. We attack that property, because it is dangerous—we attack it because it is subversive of the well being of society—we attack it on principles of necessity and policy—we wish to remove the danger from the east,

and to prevent its existence in the west.

curse of slavery.



